

11

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA

v.

Case:2:23-cr-20100
Judge: Leitman, Matthew F.
MJ: Patti, Anthony P.
Filed: 02-15-2023 At 04:17 PM
USA V SEALED MATTER (LG)

D-1 CALVIN ZASTROW,
D-2 CHESTER GALLAGHER,
D-3 HEATHER IDONI,
D-4 CAROLINE DAVIS,
D-5 JOEL CURRY,
D-6 JUSTIN PHILLIPS,
D-7 EVA EDL, and
D-8 EVA ZASTROW,

Violations:
18 U.S.C. § 241
18 U.S.C. §§ 248(a)(1), 2

Defendants.

INDICTMENT

THE GRAND JURY CHARGES:

GENERAL ALLEGATIONS

At all times relevant to this Indictment:

Northland Family Planning Clinic

1. The Northland Family Planning Clinic (“NFPC”) was a provider of reproductive health services located in Sterling Heights, Michigan.
2. The following individuals were present at the NFPC on August 27, 2020, together and with others known and unknown to the Grand Jury:

- a. **CALVIN ZASTROW**, also known as “Cal,” an individual who resides in Michigan;
- b. **CHESTER GALLAGHER**, also known as “Chet,” an individual who resides in Tennessee;
- c. **HEATHER IDONI**, an individual who resides in Michigan;
- d. **CAROLINE DAVIS**, an individual who resides in Georgia;
- e. **JOEL CURRY**, an individual who resides in Michigan;
- f. **JUSTIN PHILLIPS**, an individual who resides in Michigan;
- g. **EVA EDL**, an individual who resides in South Carolina; and
- h. **EVA ZASTROW**, an individual who resides in Michigan.

3. Employee A was employed by the NFPC and was at work on August 27, 2020.

4. RC was the owner of NFPC and was at the facility on August 27, 2020.

5. Patient A was an NFPC patient who was seeking to obtain reproductive health services at the NFPC on August 27, 2020.

Women’s Health Clinic

6. The Women’s Health Clinic (“WHC”) was a provider of reproductive health services located in Saginaw, Michigan.

7. The following individuals were present at the WHC on April 16, 2021, together and with others known and unknown to the Grand Jury:

- a. **HEATHER IDONI**, an individual who resides in Michigan;
- b. **EVA EDL**, an individual who resides in South Carolina.

8. Employee B was employed by the WHC and was at work on April 16, 2021.

COUNT ONE
(18 U.S.C. § 241 – Conspiracy Against Rights)

D-1 CALVIN ZASTROW
D-2 CHESTER GALLAGHER
D-3 HEATHER IDONI
D-4 CAROLINE DAVIS
D-5 JOEL CURRY
D-6 JUSTIN PHILLIPS
D-7 EVA EDL
D-8 EVA ZASTROW

9. Paragraphs 1 through 5 of the General Allegations section of this Indictment are realleged and incorporated herein by reference.

10. On or about August 27, 2020, in the Eastern District of Michigan and elsewhere, defendants **CALVIN ZASTROW, CHESTER GALLAGHER, HEATHER IDONI, CAROLINE DAVIS, JOEL CURRY, JUSTIN PHILLIPS, EVA EDL, and EVA ZASTROW** did willfully combine, conspire, and agree with one another, and with other persons known and unknown to the Grand Jury, to oppress and intimidate patients and employees of the NFPC in the free exercise and enjoyment of the rights and privileges secured to them by the

laws of the United States, namely, the rights to obtain and seek to obtain, and to provide and seek to provide, reproductive health services, as provided by Title 18, United States Code, Section 248(c)(1), in violation of Title 18, United States Code, Section 241.

Purpose of the Conspiracy

11. It was the purpose of the conspiracy that defendants, aided and abetted by each other and by other co-conspirators known and unknown to the Grand Jury, would create a blockade to stop the NFPC from providing, and patients from obtaining, reproductive health services.

The Manner and Means of the Conspiracy

12. On or about August 26, 2020, **CHESTER GALLAGHER** used social media to promote the NFPC blockade scheduled for August 27, 2020, in Michigan by posting that he was “heading to an important activity scheduled for tomorrow in Michigan. Look for the live feeds in the morning and prepare to join us praying for the fruit of true repentance to manifest.”

13. On or about August 27, 2020, **CHESTER GALLAGER** advertised the NFPC blockade on his social media account by posting, “Rescue NOW Progress in Michigan.”

14. When the NFPC opened for services on August 27, 2020, **CALVIN ZASTROW, CHESTER GALLAGHER, HEATHER IDONI, CAROLINE**

DAVIS, JOEL CURRY, JUSTIN PHILLIPS, EVA EDL, and EVA ZASTROW convened at a location near the NFPC, and approached the NFPC on foot.

15. When **CALVIN ZASTROW, CHESTER GALLAGHER, HEATHER IDONI, CAROLINE DAVIS, JOEL CURRY, JUSTIN PHILLIPS, EVA EDL, and EVA ZASTROW** arrived at the NFPC, they physically obstructed the patient entrance by sitting and standing in front of the doors, thereby blocking access to the NFPC. As they blocked the doors, **CURRY** and **GALLAGHER** used cell phones to record the blockade, and **CURRY** used his phone to post a livestream video to his social media account, in which he announced, “We’re in Sterling Heights, outside of the murder mill, to save children. Sitting next to brothers and sisters. Block the door.” Moments before the blockade, an uncharged co-conspirator who was video recording the blockade announced that, “This is a very serious situation,” and that the defendants were “going over to stand in front of the door” at NFPC, and “interpose” or “stand in between the hands of an abortionist that wants to murder these children and the life of these babies.”

16. When an unknown NFPC patient attempted to enter the NFPC through the blockaded patient entrance doors after stating that she had an appointment for birth control, **JOEL CURRY** refused to move and continued to block the NFPC

entrance. **CURRY** told the unknown NFPC patient that, “We’re not letting anybody in.”

17. When Employee A tried to help a NFPC staff member and RC gain access to the clinic through the employee entrance, **EVA ZASTROW** moved to the employee entrance and sat in front of that door, preventing the staff member and RC from entering the clinic.

18. When RC tried to pull the door open for the staff member while **EVA ZASTROW** sat in front of it, **CAROLINE DAVIS** came and sat next to **EVA ZASTROW** to help block the door.

19. During the NFPC blockade, when Patient A and her companions arrived at the NFPC for a scheduled reproductive health care appointment, **CALVIN ZASTROW, CHESTER GALLAGHER, HEATHER IDONI, CAROLINE DAVIS, JOEL CURRY, JUSTIN PHILLIPS, EVA EDL, and EVA ZASTROW**, physically blocked the entrance.

20. After officers with the Sterling Heights Police Department arrived and directed the defendants to move, **CALVIN ZASTROW, CHESTER GALLAGHER, HEATHER IDONI, CAROLINE DAVIS, JOEL CURRY, JUSTIN PHILLIPS, EVA EDL, and EVA ZASTROW** refused to move and instead engaged the officers in conversation as a delay tactic, and continued to block access. **GALLAGHER** stated, “[The] longer they talk with us, the better the

opportunity we have to see women and children rescued. And that's what obstructing the door of an abortion clinic is about and why it's so successful. We are here blocking access so the doors can't open."

21. When **CHESTER GALLAGHER** moved from blocking the patient entrance in order to speak with the responding Sterling Heights police officers, **HEATHER IDONI** moved to his spot in the blockade, to continue blocking access to the clinic.

22. After the responding Sterling Heights police officers warned the defendants that they would be arrested, **EVA EDL** refused to move and encouraged the other defendants to continue blocking access by stating, "You can arrest us, you can do whatever you want, but I will be back, wherever there is a clinic open."

All in violation of Title 18, United States Code, Section 241.

COUNT TWO
(18 U.S.C. § 248(a)(1), 2 – Clinic Access Obstruction)

D-1 CALVIN ZASTROW
D-2 CHESTER GALLAGHER
D-3 HEATHER IDONI
D-4 CAROLINE DAVIS
D-5 JOEL CURRY
D-6 JUSTIN PHILLIPS
D-7 EVA EDL
D-8 EVA ZASTROW

23. Paragraphs 1 through 5 of the General Allegations section of this Indictment are realleged and incorporated herein by reference.

24. On or about August 27, 2020, in the Eastern District of Michigan and elsewhere, the defendants, **CALVIN ZASTROW, CHESTER GALLAGHER, HEATHER IDONI, CAROLINE DAVIS, JOEL CURRY, JUSTIN PHILLIPS, EVA EDL, and EVA ZASTROW**, aiding and abetting one another, did by physical obstruction intentionally intimidate and interfere with, and attempt to intimidate and interfere with, Patient A, Employee A, and the other patients and employees of the NFPC, because Patient A was obtaining, and employees of the NFPC were and had been providing, reproductive health services, and in order to intimidate patients from obtaining and the employees of the NFPC from providing reproductive health services.

All in violation of Title 18, United States Code, Sections 248(a)(1), (b)(1), and 2.

COUNT THREE
(18 U.S.C. § 248(a)(1), 2 – Clinic Access Obstruction)

D-3 HEATHER IDONI
D-7 EVA EDL

25. Paragraphs 6 through 8 of the General Allegations section of this Indictment are realleged and incorporated herein by reference.

26. On or about April 16, 2021, in the Eastern District of Michigan and elsewhere, the defendants, **HEATHER IDONI** and **EVA EDL**, aiding and abetting one another, did by physical obstruction intentionally intimidate and interfere with, and attempt to intimidate and interfere with, Employee B and the patients and other employees of the WHC, because the employees of the WHC were and had been providing, and the patients were obtaining, reproductive health services, and in order to intimidate patients from obtaining and the employees of the WHC from providing reproductive health services.

All in violation of Title 18, United States Code, Sections 248(a)(1), (b)(1),
and 2.

A TRUE BILL

s/Foreperson
FOREPERSON

DAWN N. ISON
United States Attorney

s/Daniel Hurley
DANIEL HURLEY
Chief, Criminal Division

s/Frances Lee Carlson
FRANCES LEE CARLSON
Assistant United States Attorney

s/Laura-Kate Bernstein
LAURA-KATE BERNSTEIN
Trial Attorney, U.S. Department of Justice
Civil Rights Division

Dated: February 15, 2023

United States District Court
Eastern District of Michigan

Criminal Case Cover

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to comply

Case: 2:23-cr-20100
Judge: Leitman, Matthew F.
MJ: Patti, Anthony P.
Filed: 02-15-2023 At 04:17 PM
USA V SEALED MATTER (LG)

Companion Case Number:

This may be a companion case based upon LCrR 57.10 (b)(4)¹:

Judge Assigned:

Yes No

AUSA's Initials: *f/c*

Case Title: USA v. D-1 CALVIN ZASTROW, et al

County where offense occurred : Macomb

Check One: **Felony** **Misdemeanor** **Petty**

Indictment/ Information --- no prior complaint.
 Indictment/ Information --- based upon prior complaint [Case number:]
 Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: _____ **Judge:** _____

Corrects errors; no additional charges or defendants.
 Involves, for plea purposes, different charges or adds counts.
 Embraces same subject matter but adds the additional defendants or charges below:

Defendant name	Charges	Prior Complaint (if applicable)
-----------------------	----------------	--

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

February 15, 2023

Date



Frances Lee Carlson
Assistant United States Attorney
211 W. Fort Street, Suite 2001
Detroit, MI 48226-3277
Phone: 313-226-9696
frances.carlson@usdoj.gov

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.